

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 10-12013-RWZ

RICHARD NUNES, et al.

v.

UMASS CORRECTIONAL HEALTH, et al.

ORDER

March 21, 2011

**ZOBEL, D.J.**

Plaintiff Richard Nunes, a state prisoner, brings suit on behalf of himself and those similarly situated, against defendant UMass Correctional Health (“UMass”), the Massachusetts Department of Correction (“DOC”), and several individual employees of both entities. He challenges a newly enacted policy by which the DOC has refused to allow him to self-administer his HIV medication and claims deliberate indifference to his medical needs in violation of his Eighth and Fourteenth Amendment constitutional rights, as well as violation of both the Americans with Disabilities Act, 42 U.S.C. §§12102 et seq. (“ADA”), and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §§ 794-794a et seq. (“RA”). Pending is plaintiff Nunes’ motion for a preliminary injunction.

A hearing on the motion will be held on April 12, 2011, at 3:00 p.m. The parties shall proffer any evidence in admissible form.

March 21, 2011  
\_\_\_\_\_  
DATE

/s/Rya W. Zobel  
\_\_\_\_\_  
RYA W. ZOBEL

UNITED STATES DISTRICT JUDGE